which the people must finally look for all needed reforms, sound policies and suitable enactments, and a responsibility that can neither be avoided nor transferred rests upon each and every individual composing its membership. It is a great and solemn duty to make laws for more than three millions of people and others yet to come. It is a great thing to be a law-giver in Texas.

Parliamentary order, decorum in procedure, systematic work, prompt attendance upon committees and the sessions of the respective houses and reasonable dispatch of the public business are indispensable to useful and satisfactory Absenteeism is one of the banes of legislative assemblies, resulting in unseemly delays, annoying inconvenience to those whose sense of duty keeps them present and positive detriment to the interests of the people. The place of any man connected with the public service is where that service is to be rendered; absence therefrom without sufficient reason, can neither be justified in personal conscience, nor will it be condoned by the constituency that has chosen him. I rely with confidence upon your wisdom and devotion to duty, and bespeaking your guidance and duty, and bespeaking your guidance and duty, and bespeaking your guidance and support in my own behalf, I sincerely trust that your deliberations may prove gratifying to yourselves and that your work may meet the expectations of our people and redound to the substantial and enduring good of the State.

S. W. T. LANHAM, Governor.

Senator Stafford called up House Concurrent Resolution No. 3, and

Moved that it be adopted by a rising vote.

The resolution was unanimously adopted.

(Senator Stafford in the chair.)

By unanimous consent, the following bill was introduced:

By Senator Davidson of DeWitt: Senate bill No. 49, A bill to be entitled "An Act for the relief of James J. Jones."

Read first time, and referred to Committee on History and Statistics.

On motion of Senator Hicks, the Senate took a recess for twenty minutes.

# AFTER RECESS.

On motion of Senator Harbison, the Senate, at 11:35 o'clock, adjourned until tomorrow morning at 10 o'clock.

# EIGHTH DAY.

Senate Chamber, Austin, Tex., Thursday, Jan. 22, 1903. Senate met pursuant to adjournment. Lieutenant Governor Geo. D. Neal in the chair.

Roll call. Quorum present, the following Senators answering to their names:

Beatv. Harper. Brachfield. Henderson. Cain. Hicks. Davidson of Hill. Lipscomb. Galveston. Decker. Martin. Douglass. McKamy. Morris. Faubion. Faulk. Paulus. Savage. Faust. Grinnan. Sebastian. Stafford. Hale. Hanger. Willacy. Wilson. Harbison.

### Absent.

Davidson of Patteson. DeWitt. Perkins.

Mills.

Prayer by Chaplain, Rev. I. S. Davenport.

Pending the reading of the Journal of yesterday.

On motion of Senator Savage, the same was dispensed with.

# COMMITTEE REPORT.

Committee Room, Austin, Tex., Jan. 21, 1903.

Hon. Geo. D. Neal, President of the Scnate.

SIR: Your Committee on Judicial Districts, to whom was referred

Senate bill No. 43, A bill to be entitled "An Act to create the Sixtieth Judicial District of the State of Texas in Jefferson county, additional to the Fifty-eighth Judicial District therein, to establish a court, provide for a judge and clerk of such new district, to regulate the venue of the courts of such respective districts, and the disposition of the business therein, and to define the jurisdiction, the boundaries and the terms thereof, and declaring an emergency,"

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

BEATY, Chairman.

### BILLS AND RESOLUTIONS.

By Senator Faust:

Senate bill No. 45. A bill to be entitled "An Act to amend Article 553, of Chap-

ter 10, Title XVIII, of the Revised Statutes of Texas, restricting the number of wards of cities which are incorporated under the general laws of the State.

Read first time, and referred to Committee on Towns and Cities Corpora-

By Senator Hanger:

Senate bill No. 46, A bill to be entitled "An Act relating to the pendency of any action or suit for the recovery of real estate or to remove cloud from title thereto, prescribing the duties of the county clerk and his fees therefor and repealing Article 4669 of the Revised Civil Statutes of Texas."

Read first time, and referred to Judi-

ciary Committee No. 1.

By Senator Hill:

Senate bill No. 47, A bill to be entitled "An Act to prescribe a period of limitation within which any person claiming the right to purchase or lease public free school, State, university and asylum lands heretofore or hereafter sold or leased to others, shall bring his suit thereafter."

Read first time, and referred to Judiciary Committee No. 1.

By Senator Lipscomb:

Senate bill No. 48, A bill to be entitled "An Act to amend Articles 2227, 2236 and 2238, of Chapter 28, of Title XXXIX, of the Revised Civil Statutes of the State of Texas, relating to the powers of the qualified survivor and authorizing recovery thereunder."

Read first time, and referred to Judi-

ciary Committee No. 1.

By Senator Faulk:

Senate bill No. 49, A bill to be entitled "An Act to aid in the recovery of public lands of the State and lands belonging to the public free schools, university or asylum funds, which are illegally and adversely held and claimed against the State or any of said funds.'

Read first time, and referred to Committee on Public Lands.

By Senator Faubion:

Senate bill No. 50, A bill to be entitled 'An Act to locate the Court of Criminal Appeals at Austin, to regulate the appointment of a clerk, bailiff, stenographer and porter, and to provide for the disposition of the property of said court at Tyler and Dallas; being an act to amend Articles 73, 74, 75, 76, 77, 78 and 79, of the Code of Criminal Procedure, and to add thereto Articles 73a and 73b, and to repeal Articles 1058 and

Read first time, and referred to Committee on State Affairs.

By Senator Faulk:

Senate bill No. 51, A bill to be entitled "An Act to repeal so much of Subdivision 13, Article 5049, Chapter 18, Title CIV, of the acts of the first called session of the Twenty-fifth Legislature, as imposes an annual occupation tax of \$5.00 on every dentist."

Read first time, and referred to Judicial Committee No. 1.

By Senator Paulus:

Senate bill No. 52, A bill to be entitled "An Act to be entitled an act to amend Article 2366, Title XLI, Chapter 4, of the Revised Civil Statutes of Texas, fixing the time and place of making sales of real estate under execution, order of sale, or venditioni exponas, and to prescribe the mode and manner of advertising such sales."

Read first time, and referred to Judi-

ciary Committee No. 1.

By Senator Faust:

Senate bill No. 53, A bill to be entitled "An Act to amend Articles 128 and 129, Chapter 1, of the Revised Statutes of the State of Texas, relating to the apprehension of lunatics and authorizing the county judges to fix the place of trial at the residence of the lunatic."

Read first time, and referred to Judi-

ciary Committee No. 1.

By Senator Faubion: Senate bill No. 54, A bill to be entitled "An Act to amend Title LVIII, Revised Civil Statutes, relating to the subject of insurance, by adding thereto Chapter 5, embracing Articles 3096aa, 3096cc, 3096dd, 3096ee and 3096eee, providing that no insurance contract shall be held void because of immaterial misrepresentations made in the application thereof, or in the contract of insurance, and providing conditions upon which a defense may be made upon the ground of misrepresentation in the application, or in the contract, or in proof of death or loss, and making such contracts subject to the laws of this State; and prescribing conditions upon which foreign insurance corporations shall be permitted to do business in this State.

Read first time, and referred to Committee on Insurance, Statistics and His-

tory.

By Senators Grinnan and Davidson of DeWitt:

Senate bill No. 55, A bill to be entitled "An Act declaring and making all mortgages, deeds of trust, contracts and other obligations in writing, whereby 1075 of Title XXXII, Chapter 23, and land or real property situated in the Articles 1055, 1056, 1057, 1058 and State of Texas, is made security for the 1059 of Chapter 25, Revised Civil Code." payment of debts, together with such debts, to be land or real property, for the purpose of assessment or taxation; to provide for the assessment thereof for taxation, and to provide for the sale thereof for such taxes."

Read first time, and referred to Judiciary Committee No. 1.

## EXCUSED.

On motion of Senator Savage, Senator Hanger was excused from non-attendance upon the Senate yesterday, on account of important business.

On motion of Senator Hale, Senator Davidson of DeWitt was excused from attendance upon the Senate indefinitely, on account of important business.

#### INVITATION.

The Chair laid before the Senate and had read the following invitation:

To the Speaker and Members of the Senate.

The Matinee Musical Club requests the pleasure of your company, as its guests, January 22, to a violin and piano recital by Mr. Marcasson and Miss Frew, under the auspices of the club. Recital given in the University Auditorium, at 8:30 p. m.

Morning call concluded.

The Chair announced that the hour had arrived for the Senators to draw for their terms, whereupon

On motion of Senator Hanger, the

same was deferred until next Wednesday, and made the special order at the conclusion of the morning call.

The motion prevailed.

(Senator Savage in the chair.)

# SENATE BILL NO. 8.

The Chair laid before the Senate, on

its second reading,
Senate bill No. 8, A bill to be entitled "An Act to amend Section 1, Chapter 128, of an act passed by the Twentysixth Legislature of the State of Texas, and sent to the Governor for his approval on the 20th day of May, A. D. 1899, entitled 'An Act providing a mode by which horses, mules, jacks, jennets and cattle may be prevented from running at large in the following counties, viz: Cooke, Bell, Ellis, Montague, Fayette, Johnson, Collin, Rockwall, Lamar, Milam, Denton, Falls, Navarro, Fannin, Hunt, Tarrant, Grayson, Guadalupe, Dallas, Austin, Brazos, Lavaca, Color-ado, Washington, Williamson, Smith, Delta, so as to place McLennan and Limestone counties under the provisions of said chapter, and to declare an emergency."

And on motion of Senator Harper, it was postponed until Monday morning.

# ADJOURNMENT.

On motion of Senator Faubion, the Senate, at 10:25 o'clock a. m., adjourned until tomorrow morning at 10 o'clock.

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Sacred to the Memory

of

Dr. S. J. Morris who represented the First Senatorial Dis-S. J. Morris who represented the First Senatorial District in the Twenty-fifth and also the Twenty-sixth Senates.

That in his death, the State of Texas looses one of its most honored servants and the community at large a brave and patriotic citizen; That when the Senate adjourns today, it do so out of respect to his memory, and that a page of the Senate Journal be set apart for the publication of this resolution, and that a copy of this resolution be sent to the wife of deceased.

The resolution was read second time, and unanimously adopted.